

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:09CR457
)	
Plaintiff,)	
)	MOTION FOR DOWNWARD
-vs-)	DEPARTURE OR DEVIANCE
)	FROM THE SENTENCING
VICKI CASS,)	GUIDELINES
)	
Defendant.)	

COMES NOW the Defendant, Vicki Cass, by and through her attorney, Glenn A. Shapiro, and hereby moves the Court for a downward departure pursuant to U.S.S.G. Sections 5K2.0(a)(1)(A), 5K2.11 and 5K2.12, or a deviation from the advisory sentencing guidelines pursuant to 18 U.S.C. Sec. 3553(a). In support of said Motion, the Defendant states as follows:

1. On July 6, 2010, the Defendant pled guilty to conspiracy to launder money, in violation of 18 U.S.C., Section 1956(h) and 18 U.S.C., Section 2. The Revised Presentence Report prepared by United States Probation has a sentencing range of 70-87 months based on a total offense level of 27 and a Criminal History Category of I.

2. That there exists mitigating circumstances of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines.

3. That any conduct undertaken by defendant Vicki Cass in relation to the charges, were done to avoid a perceived greater harm and under serious coercion or duress.

4. The factors of 18 U.S.C. Sec. 3553(a) which govern federal sentencing demonstrates that a sentence within the recommended guideline range would be greater than necessary to serve the federal sentencing goals.

WHEREFORE the Defendant requests the Court to either depart downward or deviate from the advisory sentencing guideline range pursuant to its authority under United States v. Booker, 543 U.S. 220 (2005).

Dated this 14th day of September, 2010.

VICKI CASS, Defendant

By: s/Glenn A. Shapiro #19126
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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Maria R. Moran, Assistant United States Attorney, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102-1506.

s/Glenn A. Shapiro